

# HOUSE JOURNAL

---

EIGHTY-FIFTH LEGISLATURE, REGULAR SESSION

---

## PROCEEDINGS

THIRD DAY — TUESDAY, JANUARY 17, 2017

The house met at 2:01 p.m. and was called to order by the speaker.

The roll of the house was called and a quorum was announced present (Record 13).

Present — Mr. Speaker(C); Allen; Alonzo; Alvarado; Anchia; Anderson, C.; Anderson, R.; Arévalo; Ashby; Bailes; Bell; Bernal; Biedermann; Blanco; Bohac; Bonnen, D.; Bonnen, G.; Burkett; Burns; Burrows; Button; Cain; Canales; Capriglione; Clardy; Coleman; Collier; Cook; Cortez; Cosper; Craddick; Cyrier; Dale; Darby; Davis, S.; Davis, Y.; Dean; Deshotel; Dutton; Elkins; Faircloth; Fallon; Farrar; Flynn; Frank; Frullo; Geren; Gervin-Hawkins; Giddings; Goldman; Gonzales; González; Gooden; Guerra; Guillen; Gutierrez; Hefner; Hernandez; Herrero; Hinojosa; Holland; Hunter; Isaac; Israel; Johnson, E.; Johnson, J.; Kacal; Keough; King, K.; King, P.; King, T.; Klick; Koop; Krause; Kuempel; Lambert; Landgraf; Lang; Larson; Laubenberg; Leach; Longoria; Lozano; Martinez; Metcalf; Meyer; Miller; Minjarez; Moody; Morrison; Muñoz; Murphy; Murr; Neave; Nevárez; Oliveira; Oliverson; Ortega; Paddie; Parker; Paul; Perez; Phelan; Phillips; Pickett; Price; Raney; Raymond; Reynolds; Rinaldi; Roberts; Rodriguez, E.; Rodriguez, J.; Romero; Rose; Sanford; Schaefer; Schofield; Schubert; Shaheen; Sheffield; Shine; Simmons; Smithee; Springer; Stephenson; Stucky; Swanson; Thierry; Thompson, E.; Thompson, S.; Tinderholt; Turner; Uresti; VanDeaver; Villalba; Vo; Walle; White; Wilson; Workman; Wray; Wu; Zedler.

Absent, Excused — Howard; Huberty; Lucio; Stickland; Zerwas.

Absent — Dukes.

The speaker recognized Representative Cyrier who introduced Dr. Jerry Edmon, senior pastor, Family Worship Center, Elgin, who offered the invocation.

The speaker recognized Representative Uresti who led the house in the pledges of allegiance to the United States and Texas flags.

### **LEAVES OF ABSENCE GRANTED**

The following members were granted leaves of absence for today because of important business in the district:

Huberty on motion of Gonzales.

Lucio on motion of Hernandez.

Stickland on motion of Tinderholt.

Zerwas on motion of S. Davis.

The following member was granted leave of absence for today because of important business:

Howard on motion of Israel.

### **CAPITOL PHYSICIAN**

The speaker recognized Representative Israel who presented Dr. Larry Kravitz of Austin as the "Doctor for the Day."

The house welcomed Dr. Kravitz and thanked him for his participation in the Physician of the Day Program sponsored by the Texas Academy of Family Physicians.

(Arévalo in the chair)

### **HCR 46 - ADOPTED (by Geren)**

Representative Kuempel moved to suspend all necessary rules to take up and consider at this time **HCR 46**.

The motion prevailed.

The following resolution was laid before the house:

**HCR 46**, Inviting the governor to address a joint session of the legislature on January 31, 2017.

**HCR 46** was read and was adopted by (Record 14): 142 Yeas, 0 Nays, 2 Present, not voting.

Yeas — Allen; Alonzo; Alvarado; Anchia; Anderson, C.; Anderson, R.; Ashby; Bailes; Bell; Bernal; Biedermann; Blanco; Bohac; Bonnen, D.; Bonnen, G.; Burkett; Burns; Burrows; Button; Cain; Canales; Capriglione; Clardy; Coleman; Collier; Cook; Cortez; Cosper; Craddick; Cyrier; Dale; Darby; Davis, S.; Davis, Y.; Dean; Deshotel; Dutton; Elkins; Faircloth; Fallon; Farrar; Flynn; Frank; Frullo; Geren; Gervin-Hawkins; Giddings; Goldman; Gonzales; González; Gooden; Guerra; Guillen; Gutierrez; Hefner; Hernandez; Herrero; Hinojosa; Holland; Hunter; Isaac; Israel; Johnson, E.; Johnson, J.; Kacal; Keough; King, K.; King, P.; King, T.; Klick; Koop; Krause; Kuempel; Lambert; Landgraf; Lang; Larson; Laubenberg; Leach; Longoria; Lozano; Martinez; Metcalf; Meyer; Miller; Minjarez; Moody; Morrison; Muñoz; Murphy; Murr; Neave; Nevárez; Oliveira; Oliverson; Ortega; Paddie; Parker; Paul; Perez; Phelan; Phillips; Pickett; Price; Raney; Raymond; Reynolds; Rinaldi; Roberts; Rodriguez, E.; Rodriguez, J.; Romero; Rose; Sanford; Schaefer; Schofield; Schubert; Shaheen; Sheffield; Shine; Simmons; Smithee; Springer; Stephenson; Stucky; Swanson; Thierry; Thompson, E.; Thompson, S.; Tinderholt; Turner; Uresti; VanDeaver; Villalba; Vo; Walle; White; Wilson; Workman; Wray; Wu; Zedler.

Present, not voting — Mr. Speaker; Arévalo(C).

Absent, Excused — Howard; Huberty; Lucio; Stickland; Zerwas.

Absent — Dukes.

**HR 55 - ADOPTED  
(by Longoria)**

Representative Longoria moved to suspend all necessary rules to take up and consider at this time **HR 55**.

The motion prevailed.

The following resolution was laid before the house:

**HR 55**, Recognizing the La Joya Independent School District Board of Trustees on the occasion of School Board Recognition Month.

**HR 55** was adopted.

**HR 99 - ADOPTED  
(by Giddings)**

Representative Giddings moved to suspend all necessary rules to take up and consider at this time **HR 99**.

The motion prevailed.

The following resolution was laid before the house:

**HR 99**, Honoring the life of Dr. Martin Luther King Jr. on the 88th anniversary of his birth.

**ADDRESS BY REPRESENTATIVE GIDDINGS**

The chair recognized Representative Giddings who addressed the house, speaking as follows:

We obviously observed the Martin Luther King Jr. holiday yesterday, but we have started a tradition in this house, and for a number of years we have always had a resolution to reflect on the life and the work of Dr. Martin Luther King Jr. Even though this is after the fact, I don't think we want to stop that tradition.

When I first came to the house, we worked on Martin Luther King Jr.'s birthday, and we no longer do that, and I'm very pleased about that. Dr. King meant so much to so many people. It wasn't just about rights for African Americans or Hispanics. It was about freedom and equality for all of us. He had a major impact, his work, throughout this world. His fight was for equality and freedom and justice for all people wherever they were. He believed, as he said, that if there is a threat to justice anywhere, there is a threat to justice everywhere. And I think his life showed that.

He was assigned greatness. He didn't deliberately seek the spotlight that was destined to find him. His story, as someone once said, was when you have a dream and you write it down, it becomes a goal. And when you accomplish that goal, then that dream becomes a reality. Dr. Martin Luther King's mission can best be summed up in saying, in fact, indeed, he had a dream. That dream has been realized through the landmark legislation passed as a result of the civil rights movement. His life and work transformed the course of American history and I

think transformed freedom and equality and what that means throughout the world. His ideals and principles helped all of humanity make strides to attain greater freedom, greater dignity, and opportunities for everybody.

To some extent, however, we are still trying to fulfill the reality that Dr. King envisioned and intended. It is our duty as informed citizens, as legislators, to ensure that the second ending of Dr. King's life, the legacy that he left behind, is not an ending at all. In the Texas House this session, we will, as in previous sessions, be faced with some difficult challenges and issues that tend to be controversial. As we face the task before us, we might well keep in mind these words from Dr. King, which I think many of us share as our favorite MLK quote. He said that the ultimate test in life is not where we stand in moments of comfort and moments of convenience, but it is where we stand in those moments of challenge and those moments of controversy. When faced with issues, cowardice asks, is it safe? Expediency asks, is it politic? Vanity asks, is it popular? But conscience always asks the question, is it right? Is it the truth? There comes a time, he said, when a person must take a stand that is neither safe nor politic nor popular but take it because one has decided that the ultimate question in life is not what happens to one's job, one's prestige, or one's popularity. The ultimate question is what happens to the pursuit of truth.

I know that every one of us in the house today joins in committing ourselves in working to fulfill Dr. King's dream. We have begun the process of making a commitment to do something, no matter how large or how small, that will benefit a collective good that is greater than our own. Somebody said, and I think it's true, it is not what you do in this life that is important, but it is what you do for others that matters.

**HR 99** was read and was adopted.

On motion of Representatives S. Thompson and Allen, the names of all the members of the house were added to **HR 99** as signers thereof.

#### **REMARKS ORDERED PRINTED**

Representatives S. Thompson and Collier moved to print remarks by Representative Giddings.

The motion prevailed.

(Moody in the chair)

#### **HR 101 - ADOPTED (by Arévalo, et al.)**

Representative Arévalo moved to suspend all necessary rules to take up and consider at this time **HR 101**.

The motion prevailed.

The following resolution was laid before the house:

**HR 101**, In memory of Archbishop Patricio Flores of San Antonio.

**HR 101** was read and was unanimously adopted by a rising vote.

On motion of the Bexar County delegation, the names of all the members of the house were added to **HR 101** as signers thereof.

(Arévalo in the chair)

### **ADJOURNMENT**

Representatives Stucky, the San Antonio delegation, and the Houston delegation moved that the house adjourn until 10 a.m. tomorrow in memory of Tyler Foster of Era, Archbishop Patricio Flores of San Antonio, and Captain Eugene Andrew "Gene" Cernan (Ret.) of Piney Point.

The motion prevailed.

The house accordingly, at 2:33 p.m., adjourned until 10 a.m. tomorrow.

